

CHAPTER 14

STATE HEALTH INSURANCE ASSISTANCE PROGRAM (SHIP)

14-1 AUTHORITY

The State Health Insurance Assistance Program or SHIP (formerly the Information, Counseling and Assistance or ICA Grants Program) was created under Section 4360 of the Omnibus Budget Reconciliation Act (OBRA) of 1990 (Public Law 101-508). This Act authorizes the Centers for Medicare and Medicaid Services (CMS), the federal Medicare agency, to make grants to states for health advisory services' programs for people with Medicare. There are SHIPs in all 50 states, plus Washington, DC; Guam; Puerto Rico; and the Virgin Islands.

14-2 HISTORY & PURPOSE

SHIP is a national program that offers one-on-one counseling and assistance to people with Medicare, potential Medicare consumers, their families and other advocates. Per Congressional mandate, SHIPs provide free and objective counseling via telephone and face-to-face interactive sessions, public education presentations and programs and media activities. The program was established by Congress in the early 1990s to address the confusion caused by the increase in choices of Medicare Supplement Insurance, or Medigap. Since the program's inception, the role of the SHIP has expanded to include providing information, counseling and assistance on Medicare and Medicaid (and TennCare in Tennessee), Medigap, enrollment in Medicare prescription drug plans (Part D) and the accompanying Low-Income Subsidy, finding help with the cost of prescription drugs during coverage gaps and access to drugs not covered under Part D, Medicare Advantage options, long-term care planning and insurance, claims and billing problem resolution, information and referral on public benefit programs, employer and retiree health insurance options for those with Medicare and VA benefits and other military health insurance for those with Medicare. As the Medicare and Medicaid/TennCare programs grow and change, the responsibilities of the SHIP

grow and change, as well. Effective January 1, 2008, the Tennessee program will be known as “TN SHIP – Medicare Information and Counseling.”

14-3 MISSION, GOALS AND OBJECTIVES

14-3.01 Mission

The mission of the Tennessee SHIP is a) to help all Medicare enrollees, regardless of financial status, obtain the health care they need and to which they are entitled; b) to be the “last stop” for consumers who, by the time they reach a SHIP Counselor, report feelings of frustration and hopelessness after having tried to navigate the Medicare system on their own and c) to facilitate consumer access to other available Tennessee Aging and Disability Network programs and public benefits whenever possible.

14-3.02 Goals and Objectives

The primary goals of the Tennessee SHIP are to help consumers understand their benefits in order that they may make optimal use of those for health promotion and treatment of illness or injury, to assist consumers in navigating the complex Medicare and related health insurance systems and to advocate for those who are unable to advocate effectively for themselves in accessing benefits or resolving coverage and/or billing issues. Secondary goals include providing guidance to legislators and other policymakers on consumer issues and areas of consumer concern in the Medicare and Medicaid programs.

To achieve the above-stated goals, the Tennessee SHIP shall:

- a) Raise the awareness of the Medicare population, as well as the general public, of the availability of SHIP’s free and objective services through public and media activities;
- b) Educate consumers and their communities on current Medicare issues through media campaigns and presentations to community groups;
- c) Provide accurate and timely information, counseling and assistance to current and potential Medicare consumers, their adult children and other family members, health care providers and other advocates throughout the State; and

- d) Build the SHIP workforce through the addition of trained, SHIP-certified volunteers in order that the program can effectively reach, counsel and assist consumers with Medicare in every county of Tennessee.

14-4 SHIP and SMP COLLABORATION

In July 2003, SHIP (sponsored by the Centers for Medicare and Medicaid Services) and SMP (sponsored by the Administration on Aging) initiated the current collaboration that joined the two programs for the primary purpose of recruitment, training, support and retention of volunteers. It had been found that SMP volunteers needed to develop an understanding of Medicare in order to intelligently counsel and assist consumers who felt that they had identified waste, fraud or abuse and desired to report the same. At the same time, SHIP volunteers needed to become familiar with the guidelines for the SMP in order to appropriately assist consumers in responsibly handling their Medicare accounts. The Tennessee SHIP and SMP continue to function successfully as volunteer program development and maintenance partners.

14-5 KEY WORDS AND CONCEPTS

For the purposes of this Chapter, the following definitions of key words or concepts shall apply.

CMS CO – Centers for Medicare and Medicaid Services, Central Office (Baltimore, Maryland)

CMS RO – Centers for Medicare and Medicaid Services, Regional Office (Region IV, Atlanta, Georgia)

Conflict of Interest – Any employment or connection to the private health insurance industry on the part of a SHIP paid or volunteer staff member or any member of the staff person's immediate family constitutes a conflict of interest that prohibits that person from working with the SHIP.

Endorsement or Appearance of Endorsement – Per Congressional mandate, SHIPs may not endorse or appear to endorse any insurance company, product or agent in the delivery of services.

Free and Objective – Per Congressional mandate, SHIP shall provide services without consideration of consumer financial status and in such a manner as to thoroughly inform the consumer about all viable Medicare and other health insurance options in order that the consumer may make an informed decision.

SHIP/SMP Advisory Board – An advisory body for the State Health Insurance Assistance Program and SMP collaboration that is comprised of the SHIP and SMP directors, the Director of the State Department of Commerce and Insurance, Consumer Insurance Division, representatives from the Tennessee Bureau of Investigation, a representative from the University of Tennessee Extension Service, one SHIP and SMP Coordinator, representatives of the SHIP/SMP volunteer workforce, representatives of the Public Guardianship Program for the Elderly, Long-Term Care Ombudsman Program and Title III-B Legal Assistance Program, a representative of the TennCare Advocacy/Health Assist Tennessee Program, a representative of the statewide Legal Aid network and other interested parties.

SHIP Staffing

SHIP Director – the Aging Program Coordinator employed by TCAD to organize, plan and implement the statewide SHIP according to CMS grant instruction and guidelines

SHIP Coordinator – The individual employed by the AAAD who is responsible for organizing, planning and implementing a regional SHIP on a full-time, dedicated (not having any other AAAD duties) basis, in accordance with TCAD instruction and guidelines.

SHIP Back-Up – The individual employed by the AAAD assigned responsibility for learning and maintaining current knowledge of Medicare “basics,” as determined by the SHIP Director, who serves in the SHIP Coordinator’s stead in that person’s absence.

SHIP Counselor – Any person (paid, in-kind or volunteer) who has completed the SHIP/SMP Training Program, has become a Certified SHIP Counselor and actively serves as a SHIP Counselor.

SHIP Volunteer – Any person who has completed the SHIP/SMP Training Program, has become a Certified SHIP Volunteer and actively serves in a volunteer capacity (see Attachment 2 for information on Levels I, II and III SHIP/SMP Volunteer training *requirements, roles and responsibilities*).

SHIP Training Program

SHIP/SMP Initial New Counselor Training – As per 2001 National SHIP Standards (see Attachment 1), a minimum of eighteen (18) hours of training on Medicare; Medicare Advantage; Medicare Supplement Insurance (Medigap); Medicare's Prescription Drug Benefit (Part D) and the accompanying Low-Income Subsidy (LIS); Long-Term Care Insurance and Long-Term Care Planning; Medicaid (including TennCare, Medicare Savings Programs, Nursing Home and Home and Community-Based Services Waiver Medicaid); Employer and Retiree Insurance; VA and Retired Military Insurance; Counseling Techniques; current federal and state laws governing health insurance (COBRA, ERISA, HIPAA), etc. (*see Attachment 1, 2001 SHIP Program Standards*) – initial training will be provided by the SHIP/SMP Directors and SHIP/SMP Coordinators.

SHIP/SMP Annual Update Training – As per 2001 SHIP Program Standards (*see Attachment 1*), a minimum of twelve (12) hours of training on the above-listed topics and current issues – update training may be provided in face-to-face, teleconference and other settings (as approved by the SHIP Director) in cooperation with the SHIP Coordinators.

SHIP/SMP Monthly Teleconference – Monthly teleconference conducted by the SHIP Director, with the support of the SHIP Coordinators, to provide update information on and opportunity for discussion of current issues affecting Medicare enrollees – participation is required for SHIP Coordinators and is encouraged for other SHIP staff and volunteers – participation at each teleconference counts as 1.5 hours toward the minimum annual update training requirement of twelve (12) hours – SHIP Coordinator is responsible for passing information provided at monthly teleconferences to other SHIP staff members.

SHIP Security Plan - required by CMS to address conflict of interest, confidentiality and other program security issues (*see Attachment 3, SHIP Security Plan*)

SMP – Administration on Aging program, formerly called Senior Medicare Patrol Project or SMPP, to raise awareness about and teach consumers how to identify and report suspected waste, fraud and abuse in the Medicare and Medicaid programs – In Tennessee, the SHIP and SMP began a partnership in July 2003 and since that time collaborate for training and volunteer program development in all of the AAADs.

14-6 TENNESSEE COMMISSION ON AGING AND DISABILITY RESPONSIBILITIES

TCAD SHIP administrative staff shall:

- a. Operate the statewide SHIP to provide information, counseling and assistance on Medicare, Medicaid and all other related health insurance issues for persons with Medicare, persons nearing Medicare eligibility, their adult children and other caregivers, their health care providers and other advocates; TCAD shall assure that SHIP has a presence in each of the State's 95 counties.
- b. Conduct all activities required by the current CMS-sponsored SHIP grant, as well as those activities required by other grants secured by TCAD to enhance the program's capacity to serve consumers (e.g., TCAD AmeriCorps*VISTA Medicare Part D/LIS Project);
- c. Assure that the district SHIPs function in concert in order that all of the State's Medicare enrollees have equal access to accurate and timely information, counseling and assistance from properly trained SHIP staff;
- d. Assure that the statewide SHIP performs effective outreach and education to all of the State's people with Medicare through presentations to groups and media campaigns designed to reach even the most difficult-to-find and reach consumers;

- e. Assure that the statewide SHIP reports its activities in the manner prescribed by CMS in such a way as to completely and appropriately capture all of the program's endeavors;
- f. Assure that the statewide SHIP maintains awareness of CMS schedules and activities required of SHIPs (e.g., three year phase-in of funding awards based on program performance);
- g. Provide the highest quality training for the statewide SHIP staff;
- h. Keep the statewide SHIP staff apprised of current issues in Medicare and the other related health insurances, national and local (state or regional) health insurance issues for people with Medicare;
- i. Act as information liaisons between CMS and other federal and state governmental agencies in order that SHIP staff can respond timely and appropriately to issues;
- j. Provide guidance, training and support to regional SHIP Coordinators to help them create and maintain viable counseling, outreach and volunteer programs within their districts;
- k. Assure that all SHIP staff, including back-up, in-kind and volunteer, have completed the minimum of eighteen (18) hours of New Counselor Training on Medicare, as per the 2001 SHIP Program Standards (*see Attachment 1*), within their first six (6) months of employment and a minimum of twelve (12) hours of Update Training annually.

14-7 RESPONSIBILITIES OF THE AREA AGENCIES ON AGING AND DISABILITY (AAADs)

The AAADs shall:

- a. Operate a district-wide SHIP to provide information, counseling and assistance on Medicare, Medicaid and all other related health insurance issues for persons with Medicare, persons nearing Medicare eligibility, their adult children and other caregivers, their health care providers and other advocates. The district SHIP shall be required to have a presence in each county within the district by a means approved by the SHIP Director (e.g., volunteer

placement at senior centers or other similar facilities frequented by people with Medicare).

- b. Conduct all activities required by the current CMS-sponsored SHIP grant, as well as by other grants secured by TCAD to enhance the program's capacity to serve consumers, as follows:
 - a) Assure that SHIP-certified staff performs district-wide one-on-one counseling for consumers and others as delineated in "a" above;
 - b) Provide district-wide Part D/LIS counseling and enrollment assistance to Medicare enrollees, making access to qualified/certified counseling staff readily available to difficult-to-reach consumers;
 - c) Perform public and media education and outreach activities to disseminate information to all communities within the district;
 - d) Develop and maintain a district-wide volunteer program,
 - e) Report all program performance data thoroughly, accurately and timely, as required by CMS and TCAD;
 - f) Cooperate with CMS and TCAD requests for information and/or support;
 - g) Participate in CMS and TCAD-sponsored trainings and in CMS-sponsored education and communication activities, and
 - h) Participate in other than CMS-sponsored grant activities intended to enhance the capacity of the SHIP to perform the above-required functions.
- c. Advertise throughout the district the availability of SHIP counseling and assistance through the toll-free TN SHIP, Medicare Information and Counseling Help Line (1-877-801-0044).
- d. Maintain an appropriate, state SHIP Director-approved, outgoing message on SHIP staff members' telephones.
- e. Staff the district-wide SHIP with at least one (1) dedicated (having no other AAAD duties), full-time position with an individual who will serve as the SHIP Coordinator for the district.

- f. Ensure that the SHIP Coordinator and all other staff members (paid, in-kind or volunteer) who provide counseling to consumers have completed the SHIP/SMP initial and update trainings and are certified competent by the SHIP/SMP Training Program to provide SHIP counseling to consumers.
- g. Ensure that the SHIP Coordinator and other staff members (paid, in-kind or volunteer) who perform public and media activities on behalf of the SHIP are certified competent by the SHIP/SMP Training Program to provide accurate and timely information to the public.
- h. As part of providing effective counseling to consumers, mail selected informational materials to SHIP consumers. As part of providing effective education and outreach to groups, distribute relevant CMS, State of Tennessee Medicaid/TennCare, TCAD and Tennessee SHIP education materials at SHIP public and media activity events.
- i. Develop and maintain a component of the district-wide program dedicated to reaching and educating persons not yet eligible for Medicare (persons between 40 and 65 years of age) about the importance of planning ahead for their long-term care needs. Provide one-on-one counseling to consumers making inquiry on the topic and distribute informational materials on the components of long-term care planning at outreach and education events.
- j. Develop and maintain partnerships with district government offices (e.g., Department of Human Services, Social Security Administration, Department of Health, Department of Mental Health and Developmental Disabilities, etc.) and private sector organizations and agencies that also interact with people with Medicare to facilitate problem-solving for SHIP consumers and to promote awareness of the SHIP and its offerings. Examples of such agencies/organizations include, but are not limited to, the following:
 - a) County and city governments;
 - b) State and Federal legislators and their staffs;
 - c) Subsidized housing facilities for the elderly and disabled;
 - d) Community councils on aging, county commissions on aging;
 - e) County or regional health councils;

- f) Senior centers, civic organizations, retirement groups and other organizations or clubs that attract people with Medicare;
 - g) Educational institutions, including Historically Black Colleges and Universities;
 - h) Churches, synagogues, or religious organizations;
 - i) Federal operating agencies or departments;
 - j) State operating departments or agencies;
 - k) Hospitals, nursing homes, home health agencies, community mental health centers;
 - l) Local, regional and statewide associations of health care providers and pharmacists, and
 - m) Local businesses, corporations and other employers (e.g., to provide pre-retirement planning workshops).
- k. Consult with the State SHIP Director for guidance on complex counseling issues and for coordination of outreach activities. Keep the State SHIP Director apprised of emergent consumer and program issues so that those may be promptly addressed and/or referred to CMS for resolution.
 - l. Provide locally based individual counseling services to Medicare consumers who are unable to access other channels of information (e.g., due to having no telephone, no Internet access, a physical or mental disability, low education, etc.) or who live in hard to reach areas.
 - m. Build the volunteer workforce to include counselors whose demographic characteristics are reflective of those of the district and by adding counseling locations in hard-to-reach areas.
 - n. Target outreach on Medicare Part D to low-income beneficiaries who will be eligible for the Part D Low-Income Subsidy (LIS) and the Medicare Savings Programs (QMB, SLMB, QI-1) and to enrollees who, regardless of income, lack prescription drug coverage.
 - o. Target SHIP outreach and counseling to Medicare enrollees with mental illness and intellectual disabilities on the availability of SHIP services and

report on outreach and counseling to persons in these categories per specific instruction from CMS.

14-8 RECORDS AND REPORTS

Required Reporting

The SHIP shall submit program data and program reports as required by CMS and TCAD. [At present, CMS requires quarterly submission of Client Contact and Public and Media Activity Data to the SHIP National Performance Report database at www.SHIPtalk.org within 30 days of each CMS fiscal year quarter end (July 31 for quarter ending June 30; October 31 for quarter ending September 30; January 31 for quarter ending December 31, and April 30 for quarter ending March 31). CMS also requires semiannual submission of SHIP Resource, or staff support, data within 60 days following the end of each six month period (November 30 for the six months ending September 30 and May 31 for the six months ending March 31); local SHIPs are required to submit this information to TCAD no later than two full weeks prior to the Resource Report due dates of November 30 and May 31.]

14-9 RETENTION OF RECORDS

All records shall be retained for a period of three years beyond case closing, plus the current year, with the qualification that records shall be retained beyond the three year period if an audit is in progress or exceptions have not been resolved.

14-10 CONFIDENTIALITY

Every SHIP staff member shall observe the requirements for confidentiality and HIPAA compliance as specified by CMS for SHIPs and AAAD contracts (*see Attachment 3, SHIP Security Plan*).

14-11 EVALUATION

TCAD SHIP staff shall conduct semi-annual evaluations of the program's progress based on the CMS grant performance measures. Evaluation results shall be submitted semi-annually, in the form of a written report, to the SHIP/SMP Advisory Board. The SHIP/SMP Advisory Board shall review evaluations and make recommendations for improvements in performance, as well as for expanding or otherwise modifying program goals. The following elements of program operation shall be used in preparing the Evaluation Report:

- a. The extent to which the program is meeting CMS performance goals;
- b. The extent to which the program is reaching and assisting Medicare enrollees who are hard to reach by virtue of disabilities, cultural or language barriers, geographic location, social isolation, etc.;
- c. The extent to which the program is meeting staffing requirements set by TCAD, and
- d. The extent to which the program is meeting its partnership goals.